



Merck & Co., Inc.
P.O. Box 2000
Rahway, NJ 07065
Patent Department

Facsimile Cover Sheet

TODAY'S DATE: September 23, 2005

PLEASE DELIVER THE FOLLOWING MESSAGE TO:

Examiners Name:

USPTO Fax Number: 571-273-0459

Group Number:

THIS MESSAGE IS FROM:

Name: Kenneth R. Walton

Phone No.: (732) 594-2712

Mail Location: RY60-30

Fax No.: (732) 594-4720

RE: Serial No.: 10/526,280
Filing Date: March 1, 2005
Attorney Docket No.: 21161YP

Comments:

NUMBER OF PAGES BEING TRANSMITTED (INCLUDING COVER): 10

IF YOU DO NOT RECEIVE ALL OF THE PAGES, PLEASE CALL (732) 594-2712

RECEIVED
23 SEP 2005
Legal Staff
International Division

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office

on Sept. 23, 2005
Date

Date _____

Signature

Typed or printed name of person signing Certificate

Typed or printed name of person signing Certificate

Registration Number, if applicable

Telephone Number

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

This collection of information is required by 37 CFR 1.6. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Wai

Serial No.: 10/526,280

Art Unit:
1615

Docket No.: 21161YP

Filed: March 1, 2005

Examiner:
Not Yet AssignedFor: 8-HYDROXY-1-OXO-
TETRAHYDROPYRROLOPYRAZINE COMPOUNDS
USEFUL AS HIV INTEGRASE INHIBITORSCommissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450REQUEST FOR CORRECTED FILING RECEIPT AND CORRECTED NOTICE OF ACCEPTANCE

Sir:

The filing receipt and the notice of acceptance under 35 U.S.C. 371 mailed September 14, 2005 erroneously indicate that the applicant has asserted small entity status. As may be seen by reference to the enclosed copy of the transmittal letter for the filing of this application, applicant has not asserted small entity status and has in fact paid the fees required for other than a small entity.

A corrected filing receipt and corrected notice of acceptance are requested. Copies of the filing receipt and notice of acceptance with the requested changes noted thereon are enclosed. Since this request is not the result of an error by the applicant, no fee is believed to be due.

Respectfully submitted,

Date: September 23, 2005

By

Kenneth R. Walton, Reg. No. 32,951
Attorney for Applicants

Enclosures

MERCK & CO., INC.
P.O. Box 2000
Rahway, New Jersey 07065-0907
(732) 594-3462

U. S. PATENT AND TRADEMARK OFFICE U. S. DEPARTMENT OF COMMERCE		ATTORNEY'S DOCKET NUMBER 21161YP
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (If known, see 37 CFR 1.5)
INTERNATIONAL APPLICATION NO. PCT/US2003/028363	INTERNATIONAL FILING DATE 10 September 2003	PRIORITY DATE CLAIMED 11 September 2003
TITLE OF INVENTION 8-HYDROXY-1-OXO-TETRAHYDROPYRROLOPYRAZINE COMPOUNDS USEFUL AS HIV INTEGRASE INHIBITORS		
APPLICANT(S) FOR DO/EO/US Merck & Co., Inc.		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. 3. <input type="checkbox"/> This is an express request to begin national examination procedures [35 U.S.C. 371(f)]. The submission must include items (5), (6), (9) and (21) indicated below. 4. <input type="checkbox"/> The US has been elected (PCT Article 31). 5. <input checked="" type="checkbox"/> A copy of the International Application as filed [35 U.S.C. 371(c)(2)] <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input checked="" type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> An English language translation of the International Application as filed [35 U.S.C. 371(c)(2)]. <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 [35 U.S.C. 371(c)(3)]. <ol style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 [35 U.S.C. 371(c)(3)]. 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) [35 U.S.C. 371(c)(4)]. 10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 [35 U.S.C. 371(c)(5)]. 		
Items 11 to 20 below concern other document(s) or information included:		
<ol style="list-style-type: none"> 11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input checked="" type="checkbox"/> A preliminary amendment. 14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A power of attorney and/or change of address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825. 18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). 20. <input type="checkbox"/> Other items or information: 		

EXPRESS MAIL CERTIFICATE
DATE OF DEPOSIT March 1, 2005
EXPRESS MAIL NO. EY421341734US
I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS
BEING DEPOSITED WITH THE UNITED STATES POSTAL
SERVICE AS EXPRESS MAIL "POST OFFICE TO ADDRESSEE"
ON THE ABOVE DATE IN AN ENVELOPE ADDRESSED TO
COMMISSIONER FOR PATENTS, P.O. BOX 1450.

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)	INTERNATIONAL APPLICATION NO.	ATTORNEY'S DOCKET NUMBER
	PCT/US2003/028363	21161YP
The following fees are submitted:		
21. <input checked="" type="checkbox"/> Basic national fee.....\$300		
22. <input checked="" type="checkbox"/> Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4)..... \$100 All other situations.....\$200		
23. <input checked="" type="checkbox"/> Search fee Search fee [37 CFR 1.445(a)(2)] has been paid on the international application to the USPTO as an International Searching Authority.....\$100 International Search Report prepared and provided to the Office.....\$400 All other situations.....\$500		
TOTAL OF 21, 22 and 23=		
<input checked="" type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.		
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)
85 - 100 =	0 /50	0 = 0
RATE		
X \$250.00		
\$0.00		
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date [37 CFR 1.492(e)].		
CLAIMS	NUMBER FILED	NUMBER EXTRA
Total Claims	20 - 20 =	0
Independent Claims	3 - 3 =	0
RATE		
X \$50.00		
\$0.00		
TOTAL NATIONAL FEE =		
\$500.00		
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date [37 CFR 1.492(f)].		
+		
TOTAL FEES ENCLOSED =		
\$500.00		
Amount to be refunded:		
Amount to be charged:		
a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed. b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>13-2755</u> in the amount of <u>\$500.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to the Deposit Account No. <u>13-2755</u> . A duplicate copy of this sheet is enclosed.		
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive [37 CFR 1.137(a) or (b)] must be filed and granted to restore the International Application to pending status.		
SEND ALL CORRESPONDENCE TO:		
Customer No. 000210		
MERCK & CO., INC. Patent Department, RY60-30 P.O. Box 2000 126 East Lincoln Avenue Rahway, New Jersey 07065-0970		
 SIGNATURE		
Kenneth R. Walton		
NAME		
32,951		
REGISTRATION NUMBER		
DATE: March 1, 2005		
PHONE #: (732) 594-3462		



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

21161YP

APPL NO.	FILING OR 371 (C) DATE	ART UNIT	FIL FEE REC'D	ATTY.DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/526,280	03/01/2005	1615	300	21161YP		20	3

CONFIRMATION NO. 8333

000210
 MERCK AND CO., INC
 P O BOX 2000
 RAHWAY, NJ 07065-0907

OC000000016974709

SEP 21 2005

FILING RECEIPT



OC000000016974709

Date Mailed: 09/14/2005

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt Incorporating the requested corrections (if appropriate).

Applicant(s)

John S. Wai, Harleysville, PA;

Power of Attorney: The patent practitioners associated with Customer Number 000210.

Domestic Priority data as claimed by applicant

This application is a 371 of PCT/US03/28363 09/10/2003
 which claims benefit of 60/409,745 09/11/2002

Foreign Applications

Projected Publication Date: 12/15/2005

Non-Publication Request: No

Early Publication Request: No

Title

8-hydroxy-1-oxo-tetrahydropyrrolopyrazine compounds useful as hiv integrase inhibitors

Preliminary Class

424

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process simplifies the filing of patent applications on the same invention in member countries, but **does not result in a grant of "an international patent"** and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15****GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject

matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

21161YP



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/526,280	John S. Wai	21161YP
INTERNATIONAL APPLICATION NO.		
PCT/US03/28363		
LA. FILING DATE	PRIORITY DATE	
09/10/2003	09/11/2002	
CONFIRMATION NO. 8333		
371 ACCEPTANCE LETTER		
 OC000000018974710		

Date Mailed: 09/14/2005

NOTICE OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C 371 AND 37 CFR 1.495

The applicant is hereby advised that the United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495), has determined that the above identified international application has met the requirements of 35 U.S.C. 371, and is ACCEPTED for national patentability examination in the United States Patent and Trademark Office.

The United States Application Number assigned to the application is shown above and the relevant dates are:

<u>03/01/2005</u>	<u>03/11/2005</u>
DATE OF RECEIPT OF 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) REQUIREMENTS	DATE OF COMPLETION OF ALL 35 U.S.C. 371 REQUIREMENTS

A Filing Receipt (PTO-103X) will be issued for the present application in due course. THE DATE APPEARING ON THE FILING RECEIPT AS THE "FILING DATE" IS THE DATE ON WHICH THE LAST OF THE 35 U.S.C. 371 (c)(1), (c)(2) and (c)(4) REQUIREMENTS HAS BEEN RECEIVED IN THE OFFICE. THIS DATE IS SHOWN ABOVE. The filing date of the above identified application is the international filing date of the international application (Article 11(3) and 35 U.S.C. 363). Once the Filing Receipt has been received, send all correspondence to the Group Art Unit designated thereon.

The following items have been received:

=> Indication of Small Entity Status *✓*

- Copy of the International Application filed on 03/01/2005
- Copy of the International Search Report filed on 03/01/2005
- Preliminary Amendments filed on 03/01/2005
- Oath or Declaration filed on 03/01/2005

=> Small Entity Statement filed on 03/01/2005 *✓*

- U.S. Basic National Fees filed on 03/01/2005
- Priority Documents filed on 03/01/2005

9/12/05
 E.O. 14176
 PTO-103X
 03/01/2005

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

PATRICIA A. BOOKER
Telephone: (703) 308-9140 EXT 204

PART 1 - ATTORNEY/APPLICANT COPY

FORM PCT/DO/EO/903 (371 Acceptance Notice)